

DATE: 2 October 1972

TO: The Honorable William H. Sullivan  
Deputy Assistant Secretary of State for  
East Asian and Pacific Affairs

FROM:

SUBJECT:

REMARKS:

1. Attached for your information are two notes done by one of my associates. One is a comment on South Vietnam's new press law, the other on the recent abolition of hamlet elections. The author of these notes is a very able officer who has spent the better part of a decade in Vietnam and is about as perceptive and knowledgeable an observer as can be found.

2. I had thought of distributing these pieces at the next Indochina Committee meeting but I am a trifle reluctant to do so. Its membership has expanded to the point where comments relating to specific areas of Indochina -- if sent to all Committee members -- inevitably wind up on the desks of persons who have no real need to see them.

/s/

George A. Carver, Jr.  
Special Assistant for Vietnamese Affairs

Attachment

cc: Mr. Kennedy, NSC Staff

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29 September 1972

MEMORANDUM

SUBJECT: Comment on South Vietnam's Press Decree-Law

1. President Thieu promulgated on 4 August 1972 a decree-law regulating the press. The two most important and controversial features are: A requirement that publishers deposit a substantial sum (in most cases VN \$20,000,000 or about U.S. \$46,000) to guarantee payment of fines, court costs and reparations to plaintiffs; and a provision that any paper confiscated a second time could be ordered by the Minister of Interior to suspend publication. Not surprisingly the reaction among press circles and among all but the most ardently pro-government politicians was highly critical. Even Senator Dang Van Sung, publisher of the highly respected, right-of-center and independent but usually pro-Thieu Chinh Luan was threatening to cease publication. Indeed, an issue of Chinh Luan containing an editorial critical of the new law as unconstitutional was confiscated, making the paper liable to suspension if confiscated a second time.

2. There was on 23-24 August a fairly successful two-day protest strike by 20 out of the 27 Vietnamese language newspapers in Saigon, but the general public has remained apathetic. A threat to press freedom is far from being the kind of bread-and-butter issue which might stir a population justifiably cynical about Vietnamese journalism. After a two-week extension the deadline for making deposits fell on 15 September. Some 18 Vietnamese language dailies, of which 14 are currently publishing, made the deposit. This is rather more than the 10 or 12 survivor papers which most observers had predicted.

3. The 14 papers which are still publishing reflect most of the non-Communist political spectrum; On the right are three papers more or less openly subsidized by the

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government and another which is probably subsidized. None of these is influential, and the first three have negligible sales. Near the center are Chinh Luan, which Senator Sung decided to continue publishing in spite of his misgivings, and Cap Tien, the organ of the "loyal opposition" Progressive Nationalist Movement (PNM). In contrast to Chinh Luan, which sells well and is very influential, Cap Tien is seldom read except by PNM members. Both papers, however, tend to support the government on "gut" issues -- foreign policy and the "one man election" of President Thieu -- but to criticize it on less fundamental issues -- e.g., the press law itself. On the left are two strongly oppositionist papers, Dien Tin and Dai Dan Toc. The former, which staunchly supports General Duong Van Minh, published a farewell edition and then quietly paid the deposit and reappeared a few weeks later. Dai Dan Toc is put out by a group of mostly Catholic Southerners who were in the past closely associated with Ngo Cong Duc, but it is a good deal less extremist than was Duc's new defunct paper, Tin Sang. The rest of the 14 papers still publishing may be classified as mainly commercial or sensational but without any consistent political line.

4. Thus, in spite of the press decree, South Vietnam still appears to be more than adequately provided with newspapers, including several representing genuinely independent and opposition viewpoints. On the other hand, the decree will make it easy for the executive to eliminate any paper which displeases it in the future. The government can simply confiscate two editions of any newspaper, and then suspend it. Doubtless the judiciary -- and a fortiori the military courts which would try most cases under the new regulations -- would find in favor of the executive in any case in which President Thieu was really interested. Opposition and independent papers, acutely aware of their vulnerabilities, will probably moderate their criticism of the government and avoid printing articles which might be interpreted as pro-Communist. (This may, incidentally, leave the government subsidized papers -- none of which are noted for responsible journalism -- with a near monopoly on really scurrilous writing.)

5. In brief, the effects of the press decree-law depend upon how President Thieu implements it. He now has legal means to dose out as much or as little press freedom as he wishes. On the other hand, the long term prospects for independent and

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opposition papers are probably not very bright, since Thieu's own inclinations will be to exercise a fairly heavy hand. It is, furthermore, a moot point whether outside pressure of a type which could realistically be brought to bear would, over the long run, hold Thieu's hand. It should be reiterated, however, that for the moment there is still a sufficient number of newspapers representing different viewpoints to provide South Vietnam -- in striking contrast to North Vietnam -- with a reasonably healthy press.

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SECRET

29 September 1972

MEMORANDUM

SUBJECT: Abolition of Hamlet Elections in South Vietnam

1. Other than criticism from a wide spectrum of politicians, President Thieu's recent decree abolishing the election of hamlet chiefs is not likely to have much impact, at least in the near or medium term. Under the decree, province chiefs will henceforth appoint hamlet chiefs. The province chief, however, always had a substantial, probably a predominant de facto influence on the hamlet chief elections. In addition, he had de jure authority to veto the election of any hamlet chief considered "unqualified." Nevertheless, the GVN presumably feels that direct appointment of hamlet chiefs by province chiefs will insure an even higher degree of loyalty to the central government. The appointment of village administrative officials by province chiefs -- rather than, as previously, by the elected village chiefs -- should similarly serve to tighten central control over the local administration.

2. Direct appointment of hamlet chiefs and most village officials -- village chiefs, contrary to a Stanley Karnow article in the Washington Post, 8 September, are still to be elected -- seems likely to produce a marginal increase in efficiency as well as further increase in loyalty to the central government. On the other hand, the hamlet chiefs and village officials are likely to become somewhat less responsive to the local population and its needs. Certain kinds of corruption, notably purchase of jobs, are likely to be facilitated by the new method of election. Although preparation for a cease-fire may have had something to do with Thieu's decision to abolish hamlet chief elections, this is by no means a necessary hypothesis. Thieu's natural desire to tighten his control of the rural administrative apparatus, to the detriment of nationalist as well as of Communist adversaries, provides an adequate explanation. This tightening should be especially helpful during election periods. It would not be surprising to discover that many hamlet chiefs and village officials are joining Thieu's "Democracy Party."

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3. The abolition of hamlet chief elections is much less significant in itself than as an indication of the general direction -- towards a Thieu dictatorship -- in which the GVN is pointed. The concept of hamlet and village elections was especially dear to many of the civilians of the U.S. Mission during the 1966-68 period, when Vietnam was, with American guidance, being endowed with democratic institutions. With Vietnamization proceeding apace, its logical political concomitant would seem to be the dismantling or emasculation of many of the institutions acquired during the period of greatest American influence.

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